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HAMILTON, MONPLAISIR G	

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2172	11

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/779,556	Applicant(s) HAN ET AL.	
	Examiner Monplaisir G Hamilton	Art Unit 2172	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 November 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *7/25/03* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. The communication filed on 11/26/03 amended claims 1 and 4. Claims 1-20 remain for examination.

Drawing Objection

2. The drawings are objected to because Fig. 9B filed on 02/09/01 indicated that the ICB tag format is conventional/prior art. Applicants proposed spelling correction of standardization, filed 7/25/03, affected Fig. 10 and removed conventional art from Fig 9B. Applicant cannot withdraw Fig 9B as conventional or prior art. See In re Nomiya, 509 F.2d 566, 184 USPQ 607, *>611< (CCPA 1975) (Figures in the application labeled "prior art" held to be an admission that what was pictured was prior art relative to applicant's invention.), MPEP 2129 [R-1]. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Applicant argues: "The Examiner objects to the proposed correction of Fig. 9B as containing an improper removal of the legend "Conventional Art." However, the removal of this legend constitutes a correction of a typographical error that occurred when the application was transliterated into English. . The true intent of the inventors that Fig 9B should illustrate the invention can be ascertained from the location of the discussion of Fig. 9B being located in the Detailed Description section of the specification. The substitute specification at page 12, lines 30-32 states: "FIG. 8 is a simplified block diagram of a personal computer which the filed management ***according to the present invention . . ." (Emphasis*** added). After a brief discussion of the operating system, the specification relates Fig. 9B to inventive Fig 8 at page 13, lines 12-15: "In the meantime, all information about files recorded in the rewritable DVD I is written in the hierarchically- structured tables shown in FIGS. 4A, 9A, and 9B."

As a result, the specification clearly shows that Fig. 9B relates to an embodiment of the invention. Thus the removal of the legend "Conventional Art" is proper."

Examiner disagrees with applicant. Upon consideration of the above argument and review of the disclosure, examiner finds no indication that Fig. 9B is a novel aspect of applicants claimed invention. Specification page 12, line 30-page 13, line 15, discloses Fig. 8 represents a conventional (prior art) computer adapted to use the claimed file management methods, noted by the explicit label indicating Fig. 8 as Conventional Art. The Specification further details storing file information in table structures, 4A, 9A, and 9B, each explicitly labeled prior art. The only legitimate basis applicant has for removing the prior art label of Fig 9B, relates the location of the description of these Figures in the Detailed Description Section of Specification. This basis is rejected on the grounds that Fig 4A, and 9A both relate to Prior Art and are located in the same sentence with the discussion of Fig 9B. Furthermore, there is no indication that applicant attempted to compare or contrast the conventional art with a new table structure. The disclosure at best describes a conventional computer system, Fig. 8, conventional table structures, Fig 4A, 9A and 9B, and an implementation of a file management method using computer system and table-structures. Examiner maintains that the proposed drawing correction is improper.

Response to Arguments

3. Applicant's arguments filed 11/26 have been fully considered but they are not persuasive.

Applicant argues: "Yamauchi pertains to a data transmitting method capable of performing copyright protection processing. The Examiner turns to column 14, lines 5-40 of Yamauchi, which describes establishing a file name and "by interpreting the file name rule, it is possible to judge whether or not the file to be read is an AV data

file [.]", Yamauchi at column 14, lines 23-25. The Examiner then turns to column 20, lines 55-65 of Yamauchi, which describes a beeper sounding when the controller judges the specified file not to be an AV file.

Yamauchi, that is, pertains to a. filtering method to decide, "whether or not the data receiving device is a proper data receiving device." See Abstract of Yamauchi. The invention, in contrast, is directed at checking a file structure with a standard file system pre-specified for a disk containing a real-time data stream, and correcting the file structure if the file structure does not conform to the standard file system. In other words, the invention is directed at the inclusion of off-format data while, in contrast, Yamauchi is directed at the exclusion of tagged copyrighted material.

As a result, Yamauchi clearly falls to anticipate or suggest the invention as embodied in claim 1. Claims dependent upon claim I are patentable for at least the above reasons."

Examiner disagrees with applicant. Yamauchi discloses storing AV data according to the ISO 13346 standard. Yamauchi discloses by interpreting the file name rule, it is possible to judge whether or not the file to be read is an AV data file. For, example, in the exemplified structure shown in Fig. 3, if the path for a file to be read includes the directory name DVD_VIDEO, the file to be read is judged to be an AV data file. The file management information conforms to the ISO 13346 standard (col 14, lines 20-30). This is equivalent to claimed checking the file names directories, or names and directories of files written in the rewritable disk. Yamauchi further discloses the controller judges whether or not the specified file is a file that stores AV data. More, specifically, when the specified file is stored under a directory named DVD_VIDEO, the file is judged to be an AV data file. The controller sends the AV data reproduction command (IO_PLAY) to the AV signal processor via the I/O bus so as to read the file. When the specified file is judged not be an AV data file, the controller warns that there occurs and error by a beeping sound (col 20, lines 55-65). Additionally, Yamauchi discloses the controller judges whether or not the specified file is a file, which stores AV data

from the directory name under which the file is stored. When the specified file is judged not to be an AV data file, the controller sends the data read I/O command (IO_READ) to the AV signal processor via the bus so as to read the file. When the specified file is judged to be an AV data file, the controller warns the user that there is an error (col 21, lines 1-10). Examiner maintains that Yamauchi's disclosed error message indicates that reproduction is not possible because the file contradicts the pre-specified scheme (for reading or playing); ISO 13346, Examiner therefore maintains that Yamauchi anticipates the claimed invention.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., correcting the file structure if the file structure does not conform to the standard file system) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant further argues: "The Examiner then turns to Sandifer for teachings pertaining to how the reason why the reproduction is impossible is contained in the message. Sandifer, however, falls to address the inability of Yamauchi to disclose or suggest the invention. A prima facie case obviousness has thus not been made over the combination of Yamauchi and Sandifer. These rejections are accordingly overcome and withdrawal thereof is respectfully requested."

Examiner maintains that Yamauchi discloses the limitations of claimed invention. Yamauchui does not explicitly disclose "the reason why reproduction is impossible is contained in the message. Examiner maintains that Sandifer discloses the missing limitation. Specifically, Sandifer col 29, line 41-42, teaches an error message explains the problem and suggests that the

system need maintenance. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Yamauchui such that error message explained why reproduction was not possible. One of ordinary skill in the art would have been motivated to do this because it would allow the user to quickly remedy the problem.

Applicant further argues: "Yamada falls to disclose or suggest checking a file name and/or directory for a file requested to be recorded on an optical disk, followed by sending a message that the reproduction would fail if recorded as requested when the file is against a standard file scheme pre-specified for a disk containing real-time data file.

The Applicants invention is directed at checking a file structure with a standard file system pre-specified for a disk containing a real-time data stream, and sending a message to correct the file structure if the file structure does not conform to the standard file system. In other words, the invention is directed at the inclusion of off-format data while, in contrast, Yamada is directed at the exclusion of tagged "watermarked" material.

Yamada, as a result, falls to anticipate or suggest independent claim 4. Claims dependent upon claim 4 are patentable for at least the above reasons."

Examiner disagrees with applicant. Yamada discloses a registering process that registers a password, with a designated directory and file (col 19, lines 10-20). This is equivalent to the claimed pre-specified standard. When data is being recorded for and existing file, the system performs a search, which essentially checks file names (col 20, lines 35-40). Finally upon recording or copying data that was previously present a comparison of a previously specified password and a destination password prevents dishonest copying (col 20, lines 5-15). Examiner maintains that Yamada anticipates the claimed invention.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., sending a

message to correct the file structure if the file structure does not conform to the standard file system.) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant further argues: "The Examiner then turns to Sinquin to allege teachings pertaining to recording or deleting received data if requested. The Examiner turns to Sandifer to allege that this reference discloses that the message gives the reason why the reproduction is impossible. However, neither Sinquin nor Sandifer address the deficiencies of Yamada in suggesting a claimed embodiment of the invention. A *prima facie* case of obviousness has thus not been made over the combination of Yamada and the secondary references.

These rejections are accordingly overcome and withdrawal thereof is respectfully requested."

Examiner maintains that Yamada discloses the limitations of claimed invention. Yamada does not explicitly disclose, "recording or deleting received data if requested, a message indicating the reason why reproduction is impossible". Examiner holds that the claimed invention is unpatentable in view of Yamada, Sandifer and Sinquin.

Applicant further argues: "Bills pertains to a method for datalink path protection. The Examiner typically turns to column 3, lines 10, which describes, "checking the datalink indicator." The Examiner then alleges that column 10, lines 35-45 pertains to providing a message indicating that disk reproduction would be impossible after the file is renamed or moved, if the file type is one among pre-specified file types. This passage, however, pertains to the logic of using the datalink indicator shown in Fig. 6 of Bills, and not to providing a message that disc reproduction would be impossible.

As a result, Bills clearly fails to anticipate or suggest the invention as is set forth in claim 8. Claims dependent upon claim 8 are patentable for at least the above reasons."

Examiner disagrees with applicant. Bills disclose a preferred embodiment prevents renaming of a path leading to datalink designations thus enhancing the referential integrity that datalinks provide (col 3, lines 1-10). The data link designations are stored in a prefix table (col 2, lines 50-60). A prefix lookup is performed to determine whether the rename can be permitted (col 3, lines 35-50). If the file is not found the operation is failed. The failed operation implicitly notifies the user that the specified command would cause a reproduction error/ referential integrity error. Therefore examiner maintains that Bills discloses the claimed message (col 3, lines 1-50).

Applicant further argues, "Sinquin pertains to the prevention of disk piracy. The Examiner turns to column 3 of Sinquin, which pertains to intentionally introduced errors. Sinquin at column 3, lines 26-28 discloses: "using recoverable errors introduced in the original recording medium to cause more serious, unrecoverable faults to be generated in the copy."

Sinquin falls to disclose or suggest "correcting the file structure of the rewritable disk if the file structure is against the standard file system," as is set forth in claim 15. Claims dependent upon claim 15 are patentable for at least the above reasons."

Examiner disagrees with applicant. Sinquin, col 3, lines 10-30 explicitly disclose a preferred embodiment of the present invention, where errors are intentionally introduced into the coded content of an original digitally-recorded medium. The content of the medium further includes ancillary data, such as error detection codes or a program routine, that enable a processor in a ***conventional playback device, reading the original medium in accordance with a given recording standard, to automatically overcome the errors***. Typically the ancillary data

enable the processor either to **correct or conceal the errors** during playback or to ignore them altogether. When an unauthorized copy is made of the medium, however, the ancillary data are ineffective in overcoming the intentional errors in the original medium, with the result that faults occur in the copy that are substantially unrecoverable. In other words, the present invention takes advantage of **error-avoidance features of the recording standard** in an unexpected way, using recoverable errors introduced in the original medium to cause more serious, unrecoverable faults to be generated in the copy. Examiner maintains that Sinquin discloses the claimed checking of the file structure against a conventional recording standard. Sinquin further discloses correcting the structure to enable playback of the recording (col 5, lines 10-30). Therefore, Sinquin anticipates the claimed invention.

Applicants further argue: "Sinquin, that is, teaches the introduction of errors to prevent piracy. This clearly teaches away from the invention, which is directed at correcting file structure. Sinquin accordingly cannot be utilized as the basis to allege *prima* facie obviousness. The addition of the secondary references of Bills and Yamauchi fail to address the deficiencies of Sinquin.

These rejections are accordingly overcome and withdrawal thereof is respectfully requested."

Examiner agrees that Sinquin prevents privacy. However, the disclosure of Sinquin teaches correcting a file structure to allow playback of recorded data (col 3, lines 10-30). Therefore Sinquin may be used to provide a prima facie case of obviousness in view of Yamauchi and Bills. Examiner maintains that the claimed invention is unpatentable in view of Sinquin, Yamauchi and Bills.

Applicant further argues: "Chen pertains to virus protection. The Examiner utilizes column 18, lines 5-25, which describes inspecting file headers to determine if the file is likely to contain a virus. Chen fails to disclose "checking the types of all files under a directory if the directory is requested to be renamed," as is set forth in independent claim 13. The Examiner admits to this deficiency at page 13, lines 9-10 of the Office Action.

Further, Chen is directed at a fundamentally different object: virus detection. A person having ordinary skill would have no motivation to use any of the teachings of Chen for developing a file managing method, such as is set forth in claim 13.

The Examiner then alleges that Bills discloses *inter alia* providing a message. The failure of Bills to disclose or suggest this feature has been discussed above. As a result, a person having ordinary skill would not be motivated by Chen and Bills to produce the invention as embodied in claim, 13. The addition of the teachings of Sinquin (the deficiencies of which have been discussed above) falls to address the deficiencies of Chen and Bills. A *prima facie* case of obviousness has thus not been made over Chen and Bills or Chen, Bills and Sinquin."

Examiner agrees that Chen pertains to virus protection. Virus protection also requires file management functions to access to the files to be scanned. The portions cited in Chen detail the file management duties performed by his invention. Specifically, col 18, lines 15-25, disclose a directory is initially specified as the scanning domain per scope assessment, a program for accessing the file header for each file in the specified directory, comparing the file header to predetermined data to determine whether the file is of the type that is likely to contain a virus.

As previously noted Chen does not explicitly disclose that the claimed checking is performed if the directory is requested to be renamed and providing a message indicating that reproduction would be impossible after the renaming function, if the file is a pre-specified type.

Examiner maintains that Bill remedies the decencies of Chen. Bill as discussed above discloses checking files under a directory specified in a rename request (col 3, lines 20-50). If the file or directory is a designated link then the rename operations fails, notifying the user that

renaming the file would cause referential issues (col 3, lines 1-30). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Chen such that is performed if the directory is requested to be renamed and providing a message indicating that reproduction would be impossible after the renaming function, if the file is a pre-specified type. One of ordinary skill in the art would have been motivated to do this because it would allow the system to preserve a namespace (Bills: col 3, lines 5-10).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by US 6047103 by Yamauchi et al, herein referred to as Yamauchi.

Referring to Claim 1:

Yamauchi discloses a file managing method in reproducing a rewritable disk, comprising the steps of: (a) checking the file names, directories, or names and directories of files written in the rewritable disk (col 14, lines 5-40); and (b) providing a message indicating that reproduction is impossible when the file names, directories, or names and directories are against a standard file scheme pre-specified for a disk containing real time data (col 20, 55-65).

Referring to Claim 3:

Yamauchi discloses the limitations as discussed in Claim 1 above. Yamauchi further discloses steps (a) and (b) are conducted when the reproduction is requested (col 14, lines 20-25).

5. Claim 4 is rejected under 35 U.S.C. 102(e) as being anticipated by US 6490683 issued to Yamada et al, herein referred to as Yamada.

Referring to Claim 4:

Yamada discloses a file managing method in recording a data stream in a rewritable disk, comprising the steps of: (a) checking a file name, directory, or name and directory of the file requested to be recorded in the rewritable disk (col 19, lines 10-17; col 20, lines 5-25);

(b) providing a message indicating that reproduction would fail later if recorded as requested when the file name, directory, or name and directory is against a standard file scheme pre-specified for a disk containing real-time data file (col 19, lines 30-45; col 21, lines 4-13).

6. Claim 8 is rejected under 35 U.S.C. 102(e) as being anticipated by US 6330571 issued to Bills et al, herein referred to as Bills.

Referring to Claim 8:

Bills discloses a method conducted in a computer for-managing files written in a rewritable disk, comprising the steps of: (a) checking the file type if the file is requested to be renamed or moved (col 1, lines 10-15; col 2, line 65-col 3, line 10); and

(b) providing a message indicating that disk reproduction would be impossible after the file is renamed or moved, if the file type is one among pre-specified file types (col 3, lines 35-45)

7. Claim 15 and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by over US 6425098 issued to Sinquin et al., herein referred to as Sinquin.

Referring to Claim 15:

Sinquin discloses a file managing method in recording data stream in a rewritable disk, comprising the steps of: (a) checking whether or not a file structure formed in the rewritable disk conforms to a standard file system pre-specified for a disk containing real-time data stream (col 3, lines 10-25); (b) correcting the file structure of the rewritable disk if the file structure is against the standard file system (col 3, lines 15-20) and (c) writing input data stream in a data file belonging to the corrected file structure (col 3, line 19; col 11, lines 15-60).

Referring to Claim 18:

Sinquin disclose the limitations as discussed in Claim 15. Sinquin further discloses the file structure is against the standard file system if the file recording information written in a navigation file does not accord with existing data stream files (col 4, lines 25-35).

Referring to Claim 19:

Sinquin disclose the limitations as discussed in Claim 15. Sinquin further discloses copying the file structure before correction, and makes the copied file structure be distinguishable from the corrected file structure (col 4, lines 10-20).

Referring to Claim 20:

Sinquin discloses the limitations as discussed in Claim 15. Sinquin further discloses a message asking whether or not the requested recording operation is proceeded if the file structure is against the standard file scheme (col 12, lines 5-15), and corrects the file structure of the

rewritable disk if the requested recording operation is demanded again (col 4, lines 10-20; col 13, lines 9-55).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 6047103 by Yamauchi et al, herein referred to as Yamauchi further in view of US 57783814 issued to Sandifer, Michael A., herein referred to as Sandifer.

Referring to Claim 2:

Yamauchi discloses the limitations as discussed in Claim 1 above.

Yamauchi does not explicitly discloses "the reason why the reproduction is impossible is contained in said message"

Sandifer discloses the reason why the reproduction is impossible is contained in said message (col 29, lines 40-45).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teaching of Yamauchi such that a reason for the error is contained in error message. One of ordinary skill in the art would have been motivated to do this because it would provide the user with an indication of what is causing the error.

9. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6490683 issued to Yamada et al, herein referred to as Yamada in view of US 6425098 issued to Sinquin et al., herein referred to as Sinquin.

Referring to Claim 5:

Yamada discloses the limitations as discussed in Claim 4 above.

Yamada does not explicitly disclose "recording received data as requested if the request of record is received again after the message being provided"

Sinquin discloses recording received data as requested if the request of record is received again after the message being provided (col 3, lines 10-25; col 12, lines 5-20).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Yamada such that recording is continued when an error message is received. One of ordinary skill in the art would have been motivated to do this because it would allow the user to ignore a message (col 12, lines 15-19).

Referring to Claim 6:

Yamada discloses the limitations as discussed in Claim 4 above.

Yamada does not explicitly disclose "deleting information received when the file record is requested if the request of record is cancelled after the message being provided"

Sinquin discloses deleting information received when the file record is requested if the request of record is cancelled after the message being provided (col 12, lines 5-20).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Yamada such that information is deleted when a cancel request is received. One of ordinary skill in the art would have been motivated to do this because it would allow the user to abort a recording (col 12, lines 15-19).

10. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 6490683 issued to Yamada et al, herein referred to as Yamada in view of US 6425098 issued to Sinquin et al., herein referred to as Sinquin further in view of US 57783814 issued to Sandifer, Michael A., herein referred to as Sandifer.

Referring to Claim 7:

Yamada and Sinquin disclose the limitations as discussed in Claim 4 above.

Yamada and Sinquin do not explicitly discloses "the reason why the reproduction is impossible is contained in said message"

Sandifer discloses the reason why the reproduction is impossible is contained in said message (col 29, lines 40-45).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teaching of Yamauchi such that a reason for the error is contained in error message. One of ordinary skill in the art would have been motivated to do this because it would provide the user with an indication of what is causing the error.

11. Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6330571 issued to Bills et al, herein referred to as Bills in view of US 6425098 issued to Sinquin et al., herein referred to as Sinquin.

Referring to Claim 9:

Bills disclose the limitations as discussed in claim 8 above.

Bills does not explicitly disclose "renaming or moving the file as requested, if the requested file operation is demanded again after the message being provided".

Sinquin discloses renaming or moving the file as requested, if the requested file operation is demanded again after the message being provided (col 12, lines 7-20).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Bills such that the rename is executed despite the error message. One of ordinary skill in the art would have been motivated to do this because it would allow the user to ignore an error message.

Referring to Claim 10:

Bills disclose the limitations as discussed in claim 8 above.

Bills does not explicitly disclose "discloses the pre-specified file types is indicative of a file containing real-time data"

Sinquin discloses the pre-specified file types is indicative of a file containing real-time data (col 3, lines 58-60).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Bills such that the datalink information corresponds to real-time data. One of ordinary skill in the art would have been motivated to do this because it would allow the protection of video information (col 1, lines 60-65).

Referring to Claim 11:

Bills disclose the limitations as discussed in claim 8 above.

Bills does not explicitly disclose "the pre-specified file types are designated by means of file names defined in a file system standardized for a rewritable disk containing real-time data stream".

Sinquin discloses the pre-specified file types are designated by means of file names defined in a file system standardized for a rewritable disk containing real-time data stream (col 8, lines 10-20).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Bills such that the file-type is specified in a standard of real-time data. One of ordinary skill in the art would have been motivated to do this because it would allow the system to encode/decode the disc properly (col 7, lines 5-20; col 8, lines 10-20).

12. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 6330571 issued to Bills et al, herein referred to as Bills in view of Applicants' admitted prior art, Fig. 9B, herein referred to admitted prior art.

Referring to Claim 12:

Bills disclose the limitations as discussed in claim 8 above.

Bills does not explicitly disclose "step (a) refers to a 1-byte type field written in a table of information control block (ICB) tag contained in a file entry addressed by an ICB field of a file identifier descriptor"

Applicant admitted prior art discloses a 1-byte type field written in a table of information control block (ICB) tag contained in a file entry addressed by an ICB field of a file identifier descriptor.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Bills with a 1-byte descriptor that defines the file as a datalink type file. One of ordinary skill in the art would have been motivated to do this because it would allow the system to quickly use the prefix table to determine the file type.

13. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 590170 issued to Chen et al in, herein referred to as Chen in view of US 6330571 issued to Bills et al, herein referred to as Bills.

Referring to Claim 13:

Chen disclose a method conducted in a computer for managing files written in a rewritable disk, comprising the steps of: (a) checking the types of all files under a directory (col 18, lines 15-25); and (b) the type of at least a file under the directory is one among pre-specified file types (col 18, lines 5-25).

Chen does not explicitly "the directory is requested to be renamed and providing a message indicating that disk reproduction would be impossible after the directory is renamed.

Bill discloses the directory is requested to be renamed and providing a message indicating that disk reproduction would be impossible after the directory is renamed (col 12, line 65-col 3, lines 10).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teaching of Chen such that a virus attempts to rename a directory, the rename operation would fail. One of ordinary skill in the art would have been motivated to do this because it would prevent the virus from corrupting the system.

14. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable US 590170 issued to Chen et al in, herein referred to as Chen in view of US 6330571 issued to Bills et al, herein referred to as Bills further in view of US 6425098 issued to Sinquin et al., herein referred to as Sinquin.

Referring to Claim 14:

Chen and Bills disclose the limitations as discussed in claim 14 above.

Chen and Bills do not explicitly disclose "renaming the directory as requested, if the requested operation is demanded again after the message being provided".

Sinquin discloses renaming the directory as requested, if the requested operation is demanded again after the message being provided (col 12, lines 7-20).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Chen and Bills such that the rename is executed despite the error message. One of ordinary skill in the art would have been motivated to do this because it would allow the user to ignore an error message.

15. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 6425098 issued to Sinquin et al., herein referred to as Sinquin in view of US 6330571 issued to Bills et al, herein referred to as Bills.

Referring to Claim 16:

Sinquin disclose the limitations as discussed in Claim 15.

Sinquin does not explicitly disclose the file structure is against the standard file system if a directory pre-defined in the standard file system is not found.

Bills discloses the file structure is against the standard file system if a directory pre-defined in the standard file system is not found (col 3, lines 45-50).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Sinquin to determine if the directory is not valid. One of ordinary skill in the art would have been motivated to do this because it would allow the a user to determine if a directory is present or not (col 3, line 9-15).

16. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 6425098 issued to Sinquin et al., herein referred to as Sinquin in view of US 6047103 issued to Yamauchi et al, herein referred to as Yamauchi.

Referring to Claim 17:

Sinquin disclose the limitations as discussed in Claim 15.

Sinquin does not explicitly disclose the file structure is against the standard file system if the file name of a data file containing real-time data stream is different from the file name predefined-in the standard file system.

Yamauchui discloses disclose the file structure is against the standard file system if the file name of a data file containing real-time data stream is different from the file name predefined-in the standard file system (col 20, lines 55-65).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Sinquin to include a determination that the file structure is erroneous by evaluating the file name. One of ordinary skill in the art would have been motivated to do this because it would allow the system to determine erroneous media.

Final Rejection

17. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monplaisir G Hamilton whose telephone number is 1703-305-5116. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on 1703-305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Monplaisir Hamilton

ALFORD KINDRED
PRIMARY EXAMINER